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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 ANN CASALETTO,) Case No. C 02-4600 PVT
13 Plaintiff,)
14 v.) STIPULATION AND [PROPOSED]
15) ORDER VACATING TRIAL DATE
16 UNITED STATES POSTMASTER)
GENERAL, et al.,)
17 Defendants.)
18

19 Pursuant to the stipulation of the parties, the Court issued an order that the trial of this
20 matter would commence on October 25, 2005. Since that time, the parties have reached a
21 settlement, but it is contingent upon concessions by the medical lien claimant. Plaintiff's counsel
22 has advised that he has been communicating with the lien claimant and that it appears likely that
23 the requisite concession will be made, but that it may not take place until after the current trial
24 date. Accordingly, in order to allow time to determine with certainty whether or not the
25 settlement can be finalized, the parties hereby stipulate and request that the October 25, 2005 trial
26 date be vacated and that the case be set for a case management conference on or about December
27 6, 2005, at which time a new trial date can be scheduled if the case has not settled.

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1 Respectfully submitted,

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3 DATED: October 5, 2005

/s/ Brent N. Ventura
4 BRENT N. VENTURA
Attorney for Plaintiff

5 DATED: October 11, 2005

6 KEVIN V. RYAN
United States Attorney

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8 /s/ Claire T. Cormier
9 CLAIRE T. CORMIER
Assistant United States Attorney

10 **PROPOSED ORDER**

11 Upon stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED THAT
12 the trial date for this case, previously scheduled for October 25, 2005, is hereby vacated.
13 Counsel for the parties shall appear at a case management conference on December 6, 2005 at
14 2:00 p.m. if the case has not been dismissed or a stipulation of settlement filed by that date. **IT**
15 **IS SO ORDERED.**

16
17 Dated: 10/11/05

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Patricia V. Trumbull
United States Magistrate Judge